

TAMING

THE AMBIGUANCE OF

THE

MODERN EXECUTIVE POWER

PRINCE

HOWARD CHASE

Taming The Prince The Ambivalence Of Modern Executive Power

Margit Cohn



Taming The Prince The Ambivalence Of Modern Executive Power:

Taming the Prince Harvey Claflin Mansfield, 1993 Reprint of the 1989 Free Press work on executive power Annotation copyright by Book News Inc Portland OR *The Myth of the Modern Presidency* David K. Nichols, 2010-11-01 Executive Power in Theory and Practice H. Liebert, G. McDowell, 2012-01-30 Since September 11 2001 long standing debates over the nature and proper extent of executive power have assumed a fresh urgency In this book eleven leading scholars of American politics and political theory address the idea of executive power *Thomas Jefferson and Executive Power* Jeremy D. Bailey, 2007-07-09 By revisiting Thomas Jefferson s understanding of executive power this book offers a new understanding of the origins of presidential power Before Jefferson was elected president he arrived at a way to resolve the tension between constitutionalism and executive power Because his solution would preserve a strict interpretation of the Constitution as well as transform the precedents left by his Federalist predecessors it provided an alternative to Alexander Hamilton s understanding of executive power In fact a more thorough account of Jefferson s political career suggests that Jefferson envisioned an executive that was powerful or energetic because it would be more explicitly attached to the majority will Jefferson s Revolution of 1800 often portrayed as a reversal of the strong presidency was itself premised on energy in the executive and was part of Jefferson s project to enable the Constitution to survive and even flourish in a world governed by necessity **A Theory of the Executive Branch** Margit Cohn, 2021 The executive branch in Western democracies has been granted a virtually impossible task expected to imperially direct the life of the nation through thick and thin it is concurrently required to be subservient to legislation meted out by a sovereign parliament Drawing on a general argument from constitutional theory that prioritizes dispersal of power over concepts of hierarchy this book argues that the tension between dominance and submission in the executive branch is maintained by the adoption of various forms of fuzziness under which a guise of legality masks the absence of substantive limitation of power Under this internal tension vision of constitutionalism the executive branch is simultaneously submissive to law and dominant over it while concepts of substantive legality are compromised Building on legal and political science research this volume classifies and analyses thirteen forms of fuzziness ranging from open ended or semi written constitutions to unapplied legislation The study of this unavoidable yet problematic feature of the public sphere is addressed descriptively and normatively Adding detailed examples from two fields of law emergency law and air pollution law in two systems the UK and the US the book ends with a call for raising the threshold of judicial review grounded in theories of participatory and deliberative democracy This book addresses an area that is surprisingly under researched Despite the increase in executive power across democratic polities and increasing public interest in the executive branch and executive powers this much needed book offers a theoretical foundation that should ground all analysis of arguably the most powerful branch of modern government *Law as Politics* David Dyzenhaus, 1998 Articles previously published in the Canadian journal of law and jurisprudence **Thinking About the Presidency** William

G. Howell, 2015-03-22 How the search for power defines the American presidential office All American presidents past and present have cared deeply about power acquiring protecting and expanding it While individual presidents obviously have other concerns such as shaping policy or building a legacy the primacy of power considerations exacerbated by expectations of the presidency and the inadequacy of explicit powers in the Constitution sets presidents apart from other political actors Thinking about the Presidency explores presidents preoccupation with power Distinguished presidential scholar William Howell looks at the key aspects of executive power political and constitutional origins philosophical underpinnings manifestations in contemporary political life implications for political reform and looming influences over the standards to which we hold those individuals elected to America's highest office Howell shows that an appetite for power may not inform the original motivations of those who seek to become president Rather this need is built into the office of the presidency itself and quickly takes hold of whoever bears the title of Chief Executive In order to understand the modern presidency and the degrees to which a president succeeds or fails the acquisition protection and expansion of power in a president's political life must be recognized in policy tools and legislative strategies the posture taken before the American public and the disregard shown to those who would counsel modesty and deference within the White House Thinking about the Presidency assesses how the search for and defense of presidential powers informs nearly every decision made by the leader of the nation In a new preface Howell reflects on presidential power during the presidency of Barack Obama

Progressive Challenges to the American Constitution Bradley C. S. Watson, 2017-04-24 In this volume Bradley C S Watson brings together the leading scholars who have sparked one of the most important intellectual and political movements of our times the criticism of the progressive intellectual synthesis that has dominated American thought and politics over much of the last century and has provided the framework in which the administrative state has expanded and flourished The contributors address the most important questions raised by this movement what is the meaning of progressivism What is the nature of the Founders Constitution and the progressive challenges to it What is the significance of recent scholarship and public opinion that have arisen in opposition to the progressive vision What are the implications of American progressivism for twenty first century politics and policy **Progressive Challenges to the American Constitution** addresses the growing doubt about the scope and sustainability of expanded government power

Public Law in a Multi-Layered Constitution Nicholas Bamforth, Peter Leyland, 2003-10-30 How is the distribution of power between the different levels of the contemporary constitution to be policed What is the emerging contribution of the courts in regard to EC law the Human Rights Act 1998 and devolution What roles should be played by the legislative and judicial bodies at each level Who should have access to the courts in public law disputes and on what grounds should the courts regulate the exercise of public power Can a coherent distinction be maintained between public and private law These essays by leading public law scholars explore the allocation and regulation of public power in the United Kingdom At the beginning of the twenty first century it appears that the traditional Diceyan

model of a unitary constitution has been superseded as power has come to be distributed particularly in the post 1997 period between institutions at European national devolved and local level Furthermore the courts have come to play a powerful role at all levels through judicial review while forms of regulation and contracting together with other informal techniques of governance have emerged The contemporary constitution can be characterised as involving a multi layered distribution of power a situation which raises many key questions about the role of public law The essays in this important collection tackle such questions from a variety of perspectives aiming between them to provide a dynamic picture of the role of public law in the contemporary multi layered constitution

Machiavelli's Liberal Republican Legacy Paul A. Rahe, 2005-11-14 The significance of Machiavelli's political thinking for the development of modern republicanism is a matter of great controversy In this volume a distinguished team of political theorists and historians reassess the evidence examining the character of Machiavelli's own republicanism and charting his influence on Marchamont Nedham James Harrington John Locke Algernon Sidney John Trenchard Thomas Gordon David Hume the Baron de Montesquieu Benjamin Franklin George Washington John Adams Thomas Jefferson James Madison and Alexander Hamilton This work argues that while Machiavelli himself was not liberal he did set the stage for the emergence of liberal republicanism in England By the exponents of commercial society he provided the foundations for a moderation of commonwealth ideology and exercised considerable if circumscribed influence on the statesmen who founded the American Republic Machiavelli's Liberal Republican Legacy will be of great interest to political theorists early modern historians and students of the American political tradition

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